

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

CRISTINA HACHE, ET AL.,

Plaintiffs,

v.

No. 4:24-cv-00728-P

FDC MANAGEMENT INC., ET AL.,

Defendants.

ORDER

The United States Magistrate Judge issued Findings, Conclusions, and a Recommendation (“FCR”) in this case, recommending that Plaintiffs’ claims against FDC Management be dismissed. ECF No. 28. Plaintiffs, appearing *pro se*, filed Objections to the FCR. ECF No. 32. After reviewing the FCR *de novo* in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge believes that the findings and conclusions of the Magistrate Judge are correct, and they are accepted as the findings and conclusions of this Court.

Plaintiffs’ Objection to the FCR is that the Magistrate Judge found that FDC’s first motion to dismiss moot after Plaintiffs filed an amended complaint; thus, the law of the case now precludes the granting of FDC’s second motion to dismiss. ECF No. 32 at 3–4. While the law of the case is an important concept, it is inapplicable here. The Magistrate Judge did not deny FDC’s first motion, rather, he found that it had been rendered moot by the Plaintiffs’ Amended Complaint. When FDC filed its second motion to dismiss, based on the amended complaint, those issues were no longer moot and were thus ripe to be ruled on. Accordingly, the law of the case does not preclude the granting of FDC’s Motion to Dismiss. Therefore, the Court **OVERRULES** Plaintiffs’ Objection (ECF No. 32).

For the reasons stated in the Magistrate Judge’s FCR, the Court finds that Plaintiffs’ claims against FDC Management should be

dismissed. Consequently, The Court **ADOPTS** the reasoning in the Magistrate Judge's FCR and **ORDERS** that Plaintiffs' claims against FDC Management be **DISMISSED with prejudice**.

SO ORDERED on this **4th day of November 2024**.

A handwritten signature in dark ink, appearing to read "Mark T. Pitman", written over a horizontal line.

MARK T. PITTMAN
UNITED STATES DISTRICT JUDGE